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3 **IN THE UNITED STATES DISTRICT COURT**
4 **FOR THE DISTRICT OF ARIZONA**

5 IN RE BARD IVC FILTERS
6 PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

7 **AMENDED MASTER SHORT FORM**
COMPLAINT FOR DAMAGES FOR
INDIVIDUAL
CLAIMS

8 Plaintiff(s) named below, for their Complaint against Defendants named below,
9 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc 364).

10 Plaintiff(s) further show the Court as follows:

11 1. Plaintiff/Deceased Party:

12 Michael Blevins

13 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
14 consortium claim:

15 Not applicable

16 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
17 conservator):

18 Not applicable

19 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
20 the time of implant:

21 Kentucky
22

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Kentucky

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Kentucky

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court for the Eastern District of Kentucky,

Pikeville Division

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery[®] Vena Cava Filter

☐ G2[®] Vena Cava Filter

☐ G2[®] Express (G2[®]X) Vena Cava Filter

Eclipse[®] Vena Cava Filter

☒ Meridian[®] Vena Cava Filter

☐ Denali[®] Vena Cava Filter

☐ Other: _____

11. Date of Implantation as to each product:

November 25, 2011

12. Counts in the Master Complaint brought by Plaintiff(s):

x Count I: Strict Products Liability – Manufacturing Defect

x Count II: Strict Products Liability – Information Defect (Failure to Warn)

x Count III: Strict Products Liability – Design Defect

x Count IV: Negligence - Design

x Count V: Negligence - Manufacture

x Count VI: Negligence – Failure to Recall/Retrofit

x Count VII: Negligence – Failure to Warn

x Count VIII: Negligent Misrepresentation

x Count IX: Negligence *Per Se*

x Count X: Breach of Express Warranty

x Count XI: Breach of Implied Warranty

x Count XII: Fraudulent Misrepresentation

- 1 x Count XIII: Fraudulent Concealment
- 2 □ Count XIV: Violations of Applicable Kentucky (insert state)
- 3 Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade
- 4 Practices
- 5 □ Count XV: Loss of Consortium
- 6 □ Count XVI: Wrongful Death
- 7 □ Count XVII: Survival
- 8 x Punitive Damages
- 9 □ Other(s): _____ (please state the facts supporting
- 10 this Count in the space immediately below)

11 _____

12 _____

13 _____

14 _____

15 _____

1 RESPECTFULLY SUBMITTED this 6th day of March 2017.

2 **SKIKOS CRAWFORD SKIKOS & JOSEPH**

3
4 By: /s/ Melissa Mielke

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